

**City of Muskegon  
Muskegon County, Michigan  
Ordinance Amendment No. 2344**

THE CITY OF MUSKEGON HEREBY ORDAINS:

Chapter 10 “Buildings and Building Regulations,” Article VI “Property Maintenance Code,” Division 2, Subdivision III. “Rental Property” of the Code of Ordinances of the City of Muskegon is amended as follows:

**Subdivision III. Rental Property**

**Sec. 10-351. Registration of rental dwellings.**

- (a) *Required.* All rental dwellings shall be registered with the city. If the owner does not reside within 30 miles of the city, he shall designate a responsible local agent who shall be responsible for operating such dwelling in compliance with the law, including this article. All official notices may be served on the responsible agent, and any notice so served shall be deemed to have been served upon the owner of record. Each owner or responsible local agent shall maintain a current list of the number of occupants of each rental dwelling for which he is responsible. A rental unit certificate of compliance shall not be issued if the registration provisions of this article are not complied with.
- (b) *Deadline for registration; failure to comply.* All rental dwellings existing as of the effective date of the ordinance from which this article is derived shall be registered no later than six months after the effective date of this article. The city shall order registration prior to that date for any dwelling cited in a notice required by this article. Failure to comply with such an order is a violation of this article.
- (c) *Registry of new rental dwellings.* The owner of a new rental dwelling or of any dwelling newly converted to a rental dwelling shall register the rental dwelling prior to allowing occupancy of any new rental units.
- (d) *Change in register information.* The owner of rental dwellings already registered with the city or his responsible local agent shall register within 60 days after any change occurs in register information. A new owner of a registered dwelling shall register the dwelling within 60 days of assuming ownership.
- (e) *Application; contents.* Application for registration shall be made in such form and in accordance with such instructions as may be provided by the administrator and shall include:
  - (1) The address of the rental dwelling.
  - (2) The number of dwelling units, the number of rooming units and the number of hotel units in the dwelling.

- (3) The name, residence address, business address, business phone number and personal phone number of the owner.
  - (4) The name, residence address, business address, business phone number and personal phone number of the manager and responsible local agent designated by the owner.
  - (5) The address where the owner or responsible local agent will accept notices or orders from the city.
  - (6) The driver's license or state identification number of the owner or responsible local agent and the state in which the license or ID was issued.
- (f) *Dwelling fire insurance.* In order to protect the health, safety and welfare of the residents of the city, it is hereby declared that the city shall require dwelling fire insurance for all property owners who let for occupancy premises in the city in the amount and for the purposes provided below.
- (1) *Minimum coverage; use of insurance proceeds.* All property owners owning property in the city shall be required to obtain a minimum of \$10,000 in dwelling fire insurance. Further, in the event of any fire or loss covered by such insurance, it shall be the obligation of the property owner to use such insurance proceeds to cause the restoration or demolition or other repair of the property in adherence to the city code and all applicable ordinances.
  - (2) *Property owners to provide city with insurance information.* All property owners shall be required to place their insurance company name, policy number and policy expiration date on their rental unit registration form, or in the alternative, to provide the city with a copy of their actual dwelling fire insurance policy. A registration certificate shall not be issued to any person unless the aforementioned information has been provided. Violation of this section shall result in suspension of a registration certificate. The city shall be informed of any change in policies for a particular rental unit or cancellation of a policy for said property within 10 days of said change or cancellation.
  - (3) *Alternative Escrow Option.* In lieu of obtaining dwelling fire insurance as outlined in this section, landlords who own one (1) or more single family dwelling units may put into escrow with the City funds sufficient to cover the cost of potential future fire demolition, as follows:
    - i. A minimum escrow amount of \$10,000, plus an administrative fee as required.
    - ii. The funds in escrow can be withdrawn for the sole purpose of demolition or restoration of a home that has been damaged by fire.

- iii. If, after a fire, the home is declared a dangerous building, and the landlord fails to repair or demolish the home as required, the City may use the escrow funds to perform the demolition, pursuant to the process as outlined in Chapter 10, Article III “Dangerous Buildings” of the City Code. In addition to the cost of demolition, the City shall deduct from the escrow funds all fees and fines associated with the dangerous building proceedings.
  - iv. Landlord must replenish the full escrow amount within 10 business days after withdrawal by the landlord or the City.
  - v. The City shall retain any interest accrued/earned on the funds in escrow to compensate for its administrative costs.
  - vi. The City shall return the escrow funds upon sale of all rental properties or proof of dwelling fire insurance on all properties, as required pursuant to Section (f)(2) above.
- (g) *Inaccurate or incomplete register information.* It shall be a violation of this article for an owner or a responsible local agent to provide inaccurate information for the register of rental dwellings or to fail to provide information required by the city under subsection (e) of this section. In those cases in which the owner or responsible local agent is not a natural person, the information required for the register shall be provided for the organization owning the rental dwelling and for the president, general manager or other chief executive officer of the organization. Where more than one natural person has an ownership interest, the required information shall be provided for each owner.
- (h) *Exemption from registration requirement.* Dwellings that are not owner-occupied, but are occupied by a grandparent, parent, child or current spouse of the owner are exempt from the rental registration requirements outlined in this section. This exemption is limited to single family residential dwellings. It is the responsibility of the owner asking to be exempted from the rental dwelling registration requirement to provide satisfactory proof to the city of the existence of the familial relationship between owner and resident of the dwelling.

(Code 1975, § 4-82; Or. No. 2304, 2-28-12)

This ordinance adopted:

Ayes: Hood, Spataro, German, Rinsema-Sybenga, Turnquist, Johnson, Gawron  
Nays: None

Adoption Date: August 25, 2015

Effective Date: September 12, 2015

First Reading: August 11, 2015

Second Reading: August 25, 2015

CITY OF MUSKEGON

By \_\_\_\_\_  
Ann Meisch, MMC  
City Clerk

### CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 25th day of August, 2015, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: August 27, 2015

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Ann Meisch, MMC  
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON  
NOTICE OF ADOPTION**

TO: ALL PERSONS INTERESTED

Please take notice that on August 25, 2015, the City Commission of the City of Muskegon adopted an amendment to Chapter 10 "Buildings and Building Regulations," Article VI "Property Maintenance Code," Division 2, Subdivision III. "Rental Property," Section 10-351 of the Code of Ordinances of the City of Muskegon, whereby the following changes were made:

**Section (f)(3)** was added to provide an alternative of placing funds in an escrow account with the City to be used to demolish the home in the event of fire, in lieu of the requirement to obtain dwelling fire insurance, for those landlords who own one or more single family rental homes in the City.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten (10) days from the date of this publication.

CITY OF MUSKEGON

Published: September 2, 2015

By: \_\_\_\_\_  
Ann Meisch, MMC, Its Clerk

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PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE